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OFFICE OF PETITIONS

In re Application of :
David L. Caulfield :
Application No. 09/726,063 : DECISION GRANTING PETITION
Filed: November 29, 2000 : UNDER 37 CFR 1.137(b)
Attorney Docket No. 5485.01P :

This is a decision on the petition under 37 CFR 1.137(b), filed November 29, 2004, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the nonfinal Office action mailed April 21, 2004, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on July 22, 2004. A Notice of Abandonment was mailed on October 29, 2004.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an amendment; (2) the petition fee of \$685; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the nonfinal Office action of April 21, 2004 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.

The application file is being forwarded to Technology Center AU 3623 for appropriate action on the concurrently filed amendment.

Frances Hicks
Frances Hicks

Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy